

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Ingle et al.**

Serial No. 09/470,446

Filed: **December 22, 1999**

For: **Gas Delivery Metering Tube**

Art Unit: 1763

Examiner: Zervigon, Rudy

**PETITION FOR WITHDRAWAL OF  
ABANDONMENT UNDER 37 CFR §1.181(a)**

Date: April 7, 2004

CERTIFICATE OF MAILING

I hereby certify that this document or fee is being deposited with the United States Postal Service as First Class Mail addressed to Commissioner for Patents, P.O. Box 1450, Mail Stop Issue Fee, Alexandria, VA 22313-1450 on April 7, 2004.

SIGNED: \_\_\_\_\_

*Kari Bateman*  
Kari Bateman

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant is in receipt of the attached Notice of Abandonment mailed March 9, 2004.

Applicant submits that this Notice of Abandonment and the alleged abandonment is improper. The reason for abandonment is given as failure on the part of applicant to timely file a reply to the Office Action dated August 26, 2003.

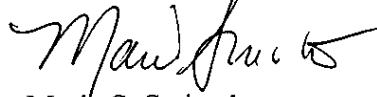
Applicant mailed a Response to the Office Action on November 26, 2004 which included a Amendment, an Applicant Initiated Interview Request Form and the Interview Summary executed on October 17, 2003. A copy of the response, along with the return postcard indicating that the response was received in the Patent Office on December 1, 2003, is enclosed.

It is respectfully requested that the Notice of Abandonment be withdrawn, that this patent application be returned to pending status and that this application proceed to Issue.

This petition is filed under 37 CFR §1.181(a) and thus Applicant believes that no fee is required. However, the Commissioner is authorized to charge any additional fee associated with the filing of this Petition (or credit any overpayment) to Deposit Account No. 50-2319 (Order No. A-67178/MSS(463035-409)).

RECEIVED  
APR 20 2004  
TC 1700

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maria S. Swiatek', with a stylized flourish at the end.

Maria S. Swiatek  
Reg. No. 37,244

DORSEY & WHITNEY LLP  
Suite 3400, 4 Embarcadero Center  
San Francisco, CA 94111-4187  
Tel. (650) 494-8700